

C. Remarks

In response to the Office Action dated May 10, 2004, Applicants respectfully request favorable reconsideration of this application based on the foregoing claim amendments and the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance.

At page 2, paragraph 1 of the Office Action, claims 1-45 are rejected under 35 U.S.C. § 102(b) as being anticipated by Kong (U.S. Patent No. 6,072,859). Applicants respectfully traverse the rejection based on the foregoing amendments and the following remarks.

Applicants respectfully submit that the Kong reference fails to disclose each and every element recited in claims 1, 8, 15, 22, 23, 24, and 39 as amended. For example, amended claim 1 recites, in pertinent part,

a receiver for capturing . . . a modulated signal representative of the caller identification information . . . , the modulated signal comprising a stream of characters representative of the caller identification information; [and]

a converter in communication with the receiver for converting the modulated signal into a stream of audible signals, wherein the converter processes the stream of characters in real-time as the characters are received from the network. . . .

With respect to amended claim 1, Applicants respectfully submit that the Kong reference fails to disclose at least that:

the converter processes the stream of characters in real-time as the characters are received from the network.

Rather, the Kong reference merely discloses that “[i]n order to inform an incoming call using the voice message, a predetermined voice message must be stored in memory.” (See Kong at col. 3, lines 47-49). Thus, Kong discloses that the voice message is pre-recorded and stored in memory and is not generated in real-time as the stream of characters are received from the network as claimed in amended claim 1.

The Kong reference further states that “a prerecorded voice message . . . is stored in the memory, and then the part of the caller’s telephone number and name among the voice message can be changed according to the telephone number detected from the subscriber’s line.” (See Kong at col. 3, lines to 49-54). Therefore, the Kong reference relies on detecting the phone number from the caller identification information and then referencing a memory to obtain additional information such as the caller’s name based don the telephone number. For example, Kong further discloses that “[t]he CPU 10 extracts the caller’s telephone number from the caller ID . . . searches the voice font memory 40 for the tuning bar corresponding to the extracted caller telephone number . . . [and] searches the list of caller’s name and telephone number registered in the memory 50.” (See Kong at col. 4, lines 3-11). In other words, Kong detects the phone number from the caller ID information, then searches a pre-stored database for the caller’s name associated with the telephone number registered (stored) in memory. Kong then discloses that the “CPU temporarily stores the tuning bar corresponding to the caller’s telephone number . . . and perform a talking processing procedure.” (See Kong at col. 4, lines 11-16).

Kong fails to disclose, however, a real-time process as recited in claim 1, where the “the converter processes the stream of characters in real-time as the characters are received from the telephone network.” In other words, in claim 1, the information provided to the “converter in communication with the receiver for converting the modulated signal into a stream of audible signals” is obtained in real-time directly from the caller identification information received from the network. The calling number or the name associated with the calling number is not stored and then retrieved from a memory before performing a talking procedure, as disclosed in Kong. The character information containing the calling number or the name associated with the calling number is received directly from the caller identification information and is converted into a stream of audible signals in real-time without referencing a memory or retrieving the caller’s name associated with the telephone number from a memory and then converting the information into a talking signal. The information including the calling number or the name associated with

the calling number is read directly from the network and is converted into an audible signal in real-time while the information is being read.

Therefore, claim 1, as amended is neither anticipated nor rendered obvious in view of the Kong reference and the anticipation rejection with respect thereto should be withdrawn. Claims 2-7 and 25 also are neither anticipated nor rendered obvious over the Kong reference at least because they directly or indirectly depend from claim 1. Accordingly, Applicants respectfully request that the anticipation rejection with respect to claims 1-7 and 25 be withdrawn.

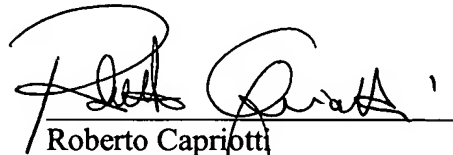
Applicants amended claims 8, 15, 22, 23, 24, and 39 to include features similar to those in amended claim 1. Therefore, at least for reasons analogous to those discussed above with respect to claim 1, Applicants submit that, as amended, claims 8, 15, 22, 23, 24, and 39, as well as their respective dependent claims 9-14 and 32, 16-21, and 40-45 also are not anticipated nor rendered obvious over the Kong reference. Therefore, Applicants respectfully submit that claims the anticipation rejection with respect to claims 8-24 and 39-45 be withdrawn.

Applicants are not otherwise conceding, however, the correctness of the Office's rejection with respect to any of the dependent claims discussed above and hereby reserves the right to make additional arguments as may be necessary because the dependent claims contain additional features that further distinguish them from the cited references, taken alone or in combination. A detailed discussion of these differences is believed to be unnecessary at this time in view of the basic differences in the independent claims pointed out above.

D. Conclusion

As all of the issues raised in the Office Action have been addressed, the Applicants respectfully request favorable reconsideration of this application and the issuance of a notice of allowance with respect to the pending claims. If the Examiner believes that the present application is in condition for disposition other than allowance, Applicants respectfully request that the Examiner contact the undersigned at the telephone number listed below so that the Examiner's concerns may be expeditiously addressed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Roberto Capriotti', is written over a horizontal line.

Roberto Capriotti
Registration No. 46,599
Attorney for Applicants

KIRKPATRICK & LOCKHART, LLP
Henry W. Oliver Building
535 Smithfield Street
Pittsburgh, PA 15222

Telephone: (412) 355-8956
Fax: (412) 355-6501
E-mail: rcapriotti@kl.com